

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ellis Reinherz, Linda Clayton, Timothy D. Ocain and Raymond J. Patch  
Application No.: 08/948,124 Group: 1642  
Filed: October 9, 1997 Examiner: Bansal, G.  
For: METHODS OF IDENTIFYING AGENTS WHICH ENHANCE CASPASE  
ACTIVITY (As Amended)

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>12/20/00</u>	<u>Paula Depelteau</u>
Date	Signature
Paula Depelteau	
Typed or printed name of person signing certificate	

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☐ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☒ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☒ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

## Concise Explanation Requirement (non-English references):

- ☐ The "concise explanation" requirement for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ the enclosed English language abstract.
- ☐ Applicant requests that the following pending applications be considered:

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ]  
Docket No.: [ ]

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ]  
Docket No.: [ ]

\_\_\_\_\_  
Examiner\_\_\_\_\_  
Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120

is claimed. [The earlier application contains copies of the application, including the current claims.]

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Remarks:

Applicants now believe that the protein described in the subject application is likely to be the protein known as caspase-3. YAMA and CPP32 are other names for this protein.

Method of payment:

- [X] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- [ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

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Dated: December 20, 2000

DQC ID NO.: : :ODMA\MHODMA\iManage;1 20;1

PTO-1449 REPRODUCED

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE  
CITATION IN AN APPLICATION

December 20, 2000

(Use several sheets if necessary)

ATTORNEY DOCKET NO.  
1062.1018-001  
(DFCI-522A)APPLICATION NO.  
08/948,124APPLICANTS  
Ellis Reinherz, et al.FILING DATE  
October 9, 1997GROUP  
1642

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL						
	AM						
	AN						
	AO						
	AP						
	AQ						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AS6	Clayton, L.K., et al., "T-cell Receptor Ligation by Peptide/MHC Induces Activation of a Caspase in Immature Thymocytes: The Molecular Basis of Negative Selection," <i>The EMBO Journal</i> , 16(9): 2282-2293 (1997).
AT6	Alam, A., et al., "Specific Activation of the Cysteine Protease CPP32 During the Negative Selection of T Cells in the Thymus," <i>J. Exp. Med.</i> , 186(9): 1503-1512 (1997).
AU6	Tewari, M., et al., "Yama/CPP32 $\beta$ , a Mammalian Homolog of CED-3, Is a CrmA-Inhibitable Protease That Cleaves the Death Substrate Poly(ADP-Ribose) Polymerase," <i>Cell</i> , 81: 801-809 (1995).
AV6	Fernandes-Alnemri, T., et al., "CPP32, a Novel Human Apoptotic Protein with Homology to <i>Caenorhabditis elegans</i> Cell Death Protein Ced-3 and Mammalian Interleukin-1 $\beta$ -converting Enzyme," <i>J. Biol. Chem.</i> , 268 (49): 30761-30764 (1994).

EXAMINER

DATE CONSIDERED